

**[NO MINUTES WERE GENERATED FOR
TUESDAY, MARCH 31, 2009,
IN OBSERVANCE OF CESAR CHAVEZ DAY HOLIDAY.]**

576

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 1, 2009
SAN FRANCISCO, CALIFORNIA**

S073253

**PEOPLE v. GUTIERREZ
(ALFRED ANTHONY)**

The petition for rehearing is denied.

S153846 G037375 Fourth Appellate District, Div. 3

**MEYER (PAMELA) v.
SPRINT SPECTRUM L.P.**

The petition for rehearing is denied.

S166117

KUL (SATDA) ON H.C.

Order to show cause issued, returnable in Superior Court)

The Director of the Department of Corrections and Rehabilitation is ordered to show cause returnable before the Orange County Superior Court, when the matter is placed on calendar, why the relief prayed for should not be granted, as conceded by the Attorney General in his informal response filed with this court on February 27, 2009. (See *Roe v. Flores-Ortega* (2000) 528 U.S. 470; *In re Benoit* (1973) 10 Cal.3d 72.)

The return is to be filed on or before May 1, 2009.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S169955 B212817 Second Appellate District, Div. 1

CAMARGO (DAVID) ON H.C.

Petition for review granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its summary denial dated January 14, 2009, and reconsider the petition for writ of habeas corpus in light of *In re Gomez* (2009) 45 Cal.4th 650. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S170374 B204008 Second Appellate District, Div. 7 **HEGGNES (HARALD) v.
RISLEY (ROBERT L.)**

Petition for review granted; briefing deferred (rule 8.512(d)(2))

Further action in this matter is deferred pending consideration and disposition of a related issue in *Reid v. Google, Inc.*, S158965 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S142819 B180272 Second Appellate District, Div. 6 **PEOPLE v. HUGHES
(LEROY)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Six

In light of the decision in *People v. Scott* (2009) 45 Cal.4th 743, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S149332 B181660 Second Appellate District, Div. 4 **PEOPLE v. DUNN (JAMAHL
TRAVOUGH)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Four

In light of the decision in *People v. Scott* (2009) 45 Cal.4th 743, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S155883 B183432 Second Appellate District, Div. 1 **PEOPLE v. THOMAS
(DARRELL SEAN)**

Transferred to Court of Appeal, Second Appellate District, Division One, after hold

The above-entitled case is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its decision and reconsider the matter in light of *People v. Scott* (2009) 45 Cal.4th 743. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S163214 B198046 Second Appellate District, Div. 1 **PEOPLE v. PINKS (LENNOX
WINSTON)**

Transferred to Court of Appeal, Second Appellate District, Division One, after hold

The above-entitled case is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its decision and reconsider the matter in light of *People v. Scott* (2009) 45 Cal.4th 743. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S168134

Dismissed as moot

The above-entitled case having become moot by petitioner's death on December 5, 2008, as indicated in the certified copy of a certificate of death attached to the letter filed on March 13, 2009, from Michael G. Millman of the California Appellate Project, on the court's own motion the petition is dismissed as moot.

PAGE (TERRANCE) ON H.C.**S168976**

Petition for writ of review denied

**SUMMIT ROAD
ASSOCIATION v. PUBLIC
UTILITIES COMMISSION
(VERIZON CALIFORNIA,
INC.)****S169465**

Request for certification denied

The request, made pursuant to California Rules of Court, rule 8.548, for this court to decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit is denied.

**BARNES-WALLACE
(MITCHELL) v. CITY OF SAN
DIEGO/(BOY SCOUTS OF
AMERICA-DESERT PACIFIC
COUNCIL)****S169774**

B192743 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. CRABTREE
(ARTHUR GEORGE)****S169973**

C054173 Third Appellate District

Petition for review denied

**PEOPLE v. RICHARDS II
(CHARLES EDWARD)****S170026**

E042456 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HEBERT
(KIMIKO DELTRICE)**

S170035 D049623 Fourth Appellate District, Div. 1

Petitions for review denied
Corrigan, J., was recused and did not participate.

**CARDINAL HEALTH 301,
INC. v. TYCO ELECTRONICS
CORP./(REMEC, INC.)**

S170092 D053530 Fourth Appellate District, Div. 1

Petition for review denied

**PARTY CITY
CORPORATION v. S.C.
(PALMER)**

S170109 B198096 Second Appellate District, Div. 6

Petitions for review denied

**PEOPLE v. METZGER
(BURTON ROY)**

S170143 B200032 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MCNUTT (RAY
ANTHONY)**

S170152 B205465 Second Appellate District, Div. 4

Petition for review denied

**MCVEY (DALE C.) v. DAY
(MICHAEL J.)**

S170154 A115281 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. EASTERLING
(JAMAL)**

S170162 B201362 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ORTIZ
(GERARDO)**

S170185 F054478 Fifth Appellate District

Petition for review & depublication request(s) denied

**HAILSTONE (JOHN) v.
MARTINEZ (SAM)**

S170213 F050845 Fifth Appellate District

Petition for review denied

PEOPLE v. RAI (AMITTAI RAHUL)

S170223 A116847 First Appellate District, Div. 1

Petition for review denied

Kennard, J., was recused and did not participate.

MARIN (ANTHONY) v. COSTCO WHOLESALE CORPORATION

S170258 B204183 Second Appellate District, Div. 6

Petition for review denied

PEOPLE v. ARENA (LAWRENCE NICHOLAS)

S170262 F053219 Fifth Appellate District

Petition for review denied

PEOPLE v. STINNETT (ROBERT CURTIS)

S170286 G038385 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. MOLOI, JR., (SEIMA NNEELENG)

S170304 C058233 Third Appellate District

Petition for review denied

PEOPLE v. SPOHN (PAUL NOAH)

S170339 F054401 Fifth Appellate District

Petition for review denied

PEOPLE v. JACOME (MELVIN ESTIWAR)

S170342 D051418/D052271 Fourth Appellate District, Div. 1 **G. (E.), IN RE**

Petition for review denied

S170349 B198733 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. PAREDES
(ALBERT RAYMOND)**

S170359 C060493 Third Appellate District

Petition for review denied

**BARRETT BUSINESS
SERVICES, INC. v.
WORKERS'
COMPENSATION APPEALS
BOARD/(BERETA)**

S170380 B199403 Second Appellate District, Div. 8

Petition for review denied

**UNION PACIFIC RAILROAD
COMPANY v. SFPP, L.P.**

S170383 D052565 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MCADAMS
(RYAN PATRICK)**

S170389 B200439 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. GUY
(DOMONICK)**

S170399 F053355 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

PEOPLE v. ADAMS (SUZE)

S170402 B197234 Second Appellate District, Div. 5

Petition for review denied

**CHINESE YELLOW PAGES
COMPANY v. CHINESE
OVERSEAS MARKETING
SERVICE COPORATION**

S170404 B211141 Second Appellate District, Div. 3

Petition for review denied

**TARKINGTON (ANTHONY
L.) v. S.C. (PEOPLE)**

S170410	A120903 First Appellate District, Div. 2	E. (H.), IN RE
Petition for review denied		
S170411	A119244 First Appellate District, Div. 3	PEOPLE v. DOMINGUEZ (RENALDO D.)
Petition for review denied		
S170412	B205663 Second Appellate District, Div. 6	PEOPLE v. HERNANDEZ (DARWIN)
Petition for review denied		
S170430	B194333/B195316 Second Appellate District, Div. 8	PEOPLE v. NEUFER (MARC LANCE)
Petition for review denied		
S170435	B202597 Second Appellate District, Div. 7	PEOPLE v. COLEMAN (JOFAMA)
Petition for review denied		
S170438	B210188 Second Appellate District, Div. 7	COLEMAN (JOFAMA) ON H.C.
Petition for review denied		
S170439	B201883 Second Appellate District, Div. 1	PEOPLE v. LOPEZ (FRANK HERNANDEZ)
Petition for review denied		
S170444	C056075 Third Appellate District	PEOPLE v. LOZANO (ROBERT T.)
Petition for review denied		
S170451	C056825 Third Appellate District	PEOPLE v. GREY (AARON B.)
Petition for review denied		

S170453 B204124 Second Appellate District, Div. 2
Petition for review denied

PEOPLE v. SMITH (BENNIE)

S170457 C056800 Third Appellate District

Petition for review denied

**PEOPLE v. DOTSON
(URBERTO)**

S170474 H030016 Sixth Appellate District
Petition for review denied

PEOPLE v. ZAPATA (PAUL)

S170482 C055368 Third Appellate District

Petition for review denied

**TECKLENBURG (MICHAEL
JAMES) v. S.C. (PEOPLE)**

S170494 B207031 Second Appellate District, Div. 7

Petition for review denied

**KROPFL (KENNETH) v.
COUNTY OF LOS ANGELES**

S170508 B203188 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. TRUJILLO
(ELMAN STANLEY)**

S170509 B201988 Second Appellate District, Div. 5
The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

PEOPLE v. RUBIN (MARIO)

S170511 B204751 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. INSELMAN
(DAVID)**

S170523 H033278 Sixth Appellate District

Petition for review denied
Corrigan, J., was recused and did not participate.

**MURRAY (RAHEEM H.) v.
WORKERS'
COMPENSATION APPEALS
BOARD (TUTOR-SALIBA
CONSTRUCTION
COMPANY)**

S170535 G040559 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. QAZZA
(SULEIMAN ABD)**

S170549 B196458 Second Appellate District, Div. 8

Petition for review denied

**AYZENSHTeyn (ISAAK) v.
REXAM BEVERAGE CAN
COMPANY**

S170552 H033541 Sixth Appellate District

Petition for review denied

**BERMAN (JOHN) v. S.C.
(ADVANTAGE AVIATION,
INC.)**

S170567 B206113 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. PEREYDA
(RAMON)**

S170582 B207220 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CORDOVA
(ROBERTO CARLOS)**

S170594 D054135 Fourth Appellate District, Div. 1

Petition for review denied

**BOONE (ROBERT J.) v.
WORKERS'
COMPENSATION APPEALS
BOARD (ROAD BUILDERS,
INC.)**

S170618 C061026 Third Appellate District

Petition for review & application for stay denied

**MILLS (JOSHUA DANIEL) v.
S.C. (PEOPLE)**

S170637 F054503 Fifth Appellate District

Petition for review denied

PEOPLE v. CERDA (RYAN)

S170669 B200271 Second Appellate District, Div. 7

Petition for review denied

**AMBER HOTEL COMPANY
v. CHEN (SHAWN)**

S170671 C055969 Third Appellate District

Petition for review denied

**PEOPLE v. BLACKWELL
(ANTHONY M.)**

S170672 D052429 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WILLIAMS
(REGGIE RAY)**

S170674 B203500 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. FOSTER
(DERRICK L.)**

S170676 E043349 Fourth Appellate District, Div. 2

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

**PEOPLE v. COLEMAN
(MATHEW J.)**

S170677 H032477 Sixth Appellate District

Petition for review denied

**PEOPLE v. RAMIREZ
(JOSEPH JAMES)**

S170678 C057831 Third Appellate District

Petition for review denied

**PEOPLE v. PACHECO
(ALFREDO)**

S170680 E043337 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. RENTERIA
(SERGIO)**

S170684 E043744 Fourth Appellate District, Div. 2
Petition for review denied

**SHURTZ (LAWRENCE) v.
GORSKI (JAMES ROBERT)**

S170687 B205906 Second Appellate District, Div. 2
Petitions for review denied

**PEOPLE v. JONES
(TIMOTHY)**

S170702 C054551 Third Appellate District
Petition for review denied

**PEOPLE v. MARTINEZ
(GILBERTO)**

S170705 B205652 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. LANDAVERDE
(SAUL A.)**

S170710 F053493 Fifth Appellate District
Petition for review denied

**PEOPLE v. NUNEZ (MIGUEL
GARCIA)**

S170713 C057606 Third Appellate District
Petition for review denied

B. (T.), IN RE

S170714 H031729 Sixth Appellate District
Petition for review denied

**PEOPLE v. CONNELLY
(RICHARD)**

S170719 H030823 Sixth Appellate District
Petition for review denied

**PEOPLE v. MILINICH
(JEFFERY)**

S170722 H032507 Sixth Appellate District
Petition for review denied

A. (R.), IN RE

S170725 B199214 Second Appellate District, Div. 1
Petition for review denied

PEOPLE v. HALL (KOEPPPEL)

S170729 B206542 Second Appellate District, Div. 7
Petition for review denied

H. (L.), IN RE

S170733 C053653 Third Appellate District
Petition for review denied

PEOPLE v. FAITH (STEVIN NOEL)

S170738 B202056 Second Appellate District, Div. 3
Petition for review denied

CHARNESS (FRED M.) v. RAND (GARY)

S170739 F055336 Fifth Appellate District
Petition for review denied

J. (D.), IN RE

S170741 B205677 Second Appellate District, Div. 3
Petition for review denied

PEOPLE v. NEWMAN (HENRY)

S170743 B205942 Second Appellate District, Div. 7
Petition for review denied

KADNER (MARSHALL L.) v. COUSINEAU (RUTH F.)

S170744 G038938 Fourth Appellate District, Div. 3
Petition for review denied

PEOPLE v. BOLTON (JOHN HENRY)

S170747 B201509 Second Appellate District, Div. 7

Petition for review denied

**GHAZARYAN (SARKIS) v.
DIVA LIMOUSINE LTD.**

S170749 B199508 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. STEWART (DALE
EDWARD)**

S170755 F055033 Fifth Appellate District

Petition for review denied

**PEOPLE v. TOMLINSON
(LAVONA LYNN)**

S170762 C057475 Third Appellate District

Petition for review denied

PEOPLE v. HOLBEA (IOAN)

S170771 B205397 Second Appellate District, Div. 6

Petition for review denied

**MAYHEW (JEFFREY C.) v.
PEARL INDUSTRIES, INC.**

S170773 B203231 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. SFERA (STEVE)

S170775 F054237 Fifth Appellate District

Petition for review denied

**PEOPLE v. ESPINOZA (JOEL
AMADOR)**

S170777 E045271 Fourth Appellate District, Div. 2

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

**PEOPLE v. PRESCOTT
(BRET VAN)**

S170779 B205301 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. BOBIER (JON)

S170781 A123956 First Appellate District, Div. 3

Petition for review denied

**SANGER (ROBERT NEAL)
ON H.C.**

S170784 E044685 Fourth Appellate District, Div. 2

Petition for review denied

W. (A.), IN RE

S170786 C055879 Third Appellate District

Petition for review denied

**PEOPLE v. JONES (JOHN
EARL)**

S170796 A116052 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WINTERS (JOHN
HENRY)**

S170800 A121335 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MACIEL
(SANTIAGO)**

S170802 D050956 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. DAVIS (JAMES J.)

S170803 E044109 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. VELAZQUEZ
(NOEL)**

S170816 F054178 Fifth Appellate District

Petition for review denied

**PEOPLE v. GARCIA (DANIEL
TARIN)**

S170817 C056373 Third Appellate District

Petition for review denied

**PEOPLE v. AVALOS
(ALBERT JOE)**

S170832 C060920 Third Appellate District
Petition for review denied

YONAI (JASON) ON H.C.

S170839 B196755/B201528 Second Appellate District, Div. 6
Petition for review denied

**STEVENS (JAMES) v. VONS
COMPANIES**

S170887 B213956 Second Appellate District, Div. 8
Petition for review denied
The request for judicial notice is granted.

**GARBER (ROBERT) v. S.C.
(PEOPLE)**

S170914 E047663 Fourth Appellate District, Div. 2
Petition for review & application for stay denied
The request for judicial notice is granted as to Exhibit B only.

**FLORES (MAHDY A.) v.
MILTON (DAWN)**

S171042 E047738 Fourth Appellate District, Div. 2
Petition for review & application for stay denied

**CAMPOS (ANDRES) v. S.C.
(PEOPLE)**

S171069
Petition for writ of review & application for stay denied
The motion to exclude petitioner's name from any opinion of this court is denied as moot.

**MORRISON (LESLIE B.) v.
THE STATE BAR OF
CALIFORNIA**

S171118
Petition for writ of mandate/prohibition denied

**HILL (BRIAN T.) v. S.C.
(PEOPLE)**

S164231
Petition for writ of habeas corpus denied

**MORALES (MAURICIO) ON
H.C.**

S165217

Petition for writ of habeas corpus denied

**TOLENTINO (FELIPE
YANEZ) ON H.C.****S165690**

Petition for writ of habeas corpus denied

**SMITH (ROBERT ELIJAH)
ON H.C.****S167400**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**VELASQUEZ (FELIX) ON
H.C.****S167416**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734.)**WILLIAMS (GREGORY
WAYNE) ON H.C.****S167424**The petition for writ of habeas corpus is denied for failure to provide the full transcript of the 2006 parole suitability hearing. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**FERNANDEZ (FELICIANO)
ON H.C.****S167436**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**SANTOS (JUAN MATTA) ON
H.C.****S167440**

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**DRIVER (THOMAS E.) ON
H.C.**

S167441

Petition for writ of habeas corpus denied

**TENA (RICHARD WAYNE)
ON H.C.****S167463**Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HICKS (MICHAEL J.) ON
H.C.****S167474**

Petition for writ of habeas corpus denied

**LAGUNAS (ROBERTO) ON
H.C.****S167479**

Petition for writ of habeas corpus denied

**CARRILLO (ALEJANDRO)
ON H.C.****S167480**Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HEARNS (CLARENCE
LEONARD) ON H.C.****S167481**

Petition for writ of habeas corpus denied

WILLIAMS (LERON) ON H.C.**S167496**

Petition for writ of habeas corpus denied

DYER (STACEY) ON H.C.**S167497**Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**WYATT (RICHARD) ON H.C.**

S167499

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**MIXON (WILLIE THOMAS)
ON H.C.****S167501**

Petition for writ of habeas corpus denied

**HAENGGI (RYAN SCOTT)
ON H.C.****S167509**

Petition for writ of habeas corpus denied

JACKSON (JAMES) ON H.C.**S167580**

Petition for writ of habeas corpus denied

MARSHALL (JIMI) ON H.C.**S167582**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**SILVA (DOUGLAS MANUAL)
ON H.C.****S167604**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709; *In re Miller* (1941) 17 Cal.2d 734.)**JOHNSON, JR., (ANTHONY
WAYNE) ON H.C.****S167612**

Petition for writ of habeas corpus denied

FIERRO (GILBERT) ON H.C.**S167633**

Petition for writ of habeas corpus denied

ARGUILEZ (DOREL) ON H.C.**S167639**

Petition for writ of habeas corpus denied

**EDWARDS (MATTHEW R.)
ON H.C.**

S167991

Petition for writ of habeas corpus denied

LUCA (ROBERT) ON H.C.**S168762**

Petition for writ of habeas corpus denied

**KEELER, SR., (GERALD D.)
ON H.C.****S170053**Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734.)**JOHNSON, JR., (ANTHONY
WAYNE) ON H.C.****S170601**Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)
Baxter, J., was recused and did not participate.**KING (JESSE) ON H.C.****S170823**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)**ROMO (EZEQUIEL) ON H.C.****S170866**

Petition for writ of habeas corpus denied

**FEW (RICKEY RECARDO)
ON H.C.****S170868**

Petition for writ of habeas corpus denied

**FEW (RICKEY RECARDO)
ON H.C.****S170873**

Petition for writ of habeas corpus denied

**GARCIA (MARCELINO
ARTHUR) ON H.C.**

S170893

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

BRUNK (DONALD) ON H.C.**S170953**

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)

**GALLEGOS (RAYMUNDO)
ON H.C.****S169972**

Order: (dispositive)

The petition for reinstatement as a member of the State Bar of California is denied.

RUTIZ ON REINSTATEMENT**S170117**

B198461 Second Appellate District, Div. 2

**EFFRON (GARY L.) v.
AMERICAN INTERNATIONAL
GROUP, INC.**

Publication request denied (case closed)
Corrigan, J., was recused and did not participate.

S057156**PEOPLE v. CASE (CHARLES
EDWARD)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Robin Kallman's representation that she anticipates filing the appellant's opening brief by December 1, 2009, counsel's request for an extension of time in which to file that brief is granted to June 2, 2009. After that date, only three further extensions totaling about 180 additional days are contemplated.

S095868**PEOPLE v. DANIELS (DAVID
SCOTT)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 3, 2009.

S152074**WILSON (LESTER
HARLAND) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael Meaney's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 20, 2009, counsel's request for an extension of time in which to file that document is granted to May 20, 2009. After that date, no further extension is contemplated.

S165302**DICKEY (COLIN RAKER) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Justain P. Riley's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by May 4, 2009, counsel's request for an extension of time in which to file that brief is granted to May 4, 2009. After that date, no further extension is contemplated.

S166073**PIMENTEL (ALEJANDRO)
ON H.C.**

Extension of time granted

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the respondent's informal response is extended to May 1, 2009.

S169195**KLEFFMAN (CRAIG E.) v.
VONAGE HOLDINGS CORP.**

Application to appear as counsel pro hac vice granted

The application of Rebecca S. Engrav of the State of Washington for admission pro hac vice to appear on behalf of appellants Vonage Holdings Corp. et al., is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S084292**ROGERS (DAVID KEITH) ON
H.C.**

Order filed

Petitioner's "Application for Conditional Examination of Witnesses," filed on March 12, 2009, is granted.

Pursuant to Penal Code section 1335, et seq., the Honorable Michael B. Lewis, Presiding Judge of the Superior Court of California, County of Kern, is directed to select a Judge of that court to sit as a magistrate in this proceeding to preside over the conditional examinations of Joyce Rogers and Dealia Winebrenner, at a time and place convenient to the court and both parties prior to April 9, 2009, or as soon as reasonably practicable thereafter. The examinations must be video-

recorded. If a proper showing is made, the magistrate may permit the examinations to be conducted by a contemporaneous, two-way video conference system. The magistrate must seal the original deposition transcripts and videotapes and transmit them to the Clerk of this court, and provide copies to counsel for the parties.

S116750**DAVIS (STANLEY
BERNARD) ON H.C.**

Order filed

Pursuant to petitioner's letter dated March 11, 2009, petitioner's exhibit 4 to the petition for writ of habeas corpus filed on June 16, 2003, is ordered withdrawn.

S157565

E041226 Fourth Appellate District, Div. 2

**PEOPLE v. MCNEAL
(TIMMIE LANCE)**

Order filed

For purposes of oral argument, appellant will argue first and may reserve time for rebuttal; respondent will argue second.

S171348**XYAH (MARVELLOUS
ASHA) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Third Appellate District

The above entitled matter is transferred to the Court of Appeal, Third Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S170568**WILKERSON, JR.,
ACCUSATION OF**

Petition denied (accusation)

S170628**CHO, ACCUSATION OF**

Petition denied (accusation)

S170629**GARAMALLO,
ACCUSATION OF**

Petition denied (accusation)

S170647

Petition denied

(accusation)

SERNA, ACCUSATION OF**S170720**

Petition denied

(accusation)

GARCIA, ACCUSATION OF**S170766**

Petition denied

(accusation)

DIXON, ACCUSATION OF**S170799**

Petition denied

(accusation)

SIVAK, ACCUSATION OF**S170805**

Petition denied

(accusation)

**MCLAUGHLIN,
ACCUSATION OF****S170808**

Petition denied

(accusation)

**WILLIAMS, ACCUSATION
OF****S170860**

Petition denied

(accusation)

DITZLER, ACCUSATION OF

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
MAY 4, 5, and 6, 2009**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 4, 5, and 6, 2009.

MONDAY, MAY 4, 2009—1:30 P.M.

S157820	People v. Traylor (Dale)
S064415	People v. Bramit (Michael Lamar) [Automatic Appeal]
S042323	People v. Burney (Shaun) [Automatic Appeal]

TUESDAY, MAY 5, 2009—9:00 A.M.

S156961	San Leandro Teachers Assn. et al. v. Governing Board of the San Leandro School District et al.
S164884	Azure Limited v. I-Flow Corp.
S157565	People v. McNeal (Timmie Lance)

1:30 P.M.

S141480	In re Martinez (Omar Fuentes) on Habeas Corpus
S055501	People v. Butler (Raymond) [Automatic Appeal]
S027264	People v. Friend (Jack Wayne) [Automatic Appeal]

WEDNESDAY, MAY 6, 2009—9:00 A.M.

S162818	Munson v. Del Taco, Inc.
S152695	People v. Anderson (Barry)
S152273	Porter v. Superior Court of Monterey County (People, Real Party in Interest)

1:30 P.M.

S158076	People v. Dieck (Roland)
S069959	People v. Lewis (Michael) [Automatic Appeal]
S064337	People v. Rogers (Ramon Jay) [Automatic Appeal]

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)